

VENABLE, BAETJER, HOWARD & CIVILETTI, LLP
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VENABLE
ATTORNEYS AT LAW

OFFICES IN

WASHINGTON, D.C.
MARYLAND
VIRGINIA

Robert Kinberg
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rkinberg@venable.com

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTN: BOX PATENT APPLICATION

Inventor(s): Manfred DOMBEK

**Title: METHOD AND APPARATUS FOR INCREASING THE PERMEABILITY OF WRAPPERS
OF ROD-SHAPED ARTICLES**

Sir:

Please find attached hereto patent application. It is hereby requested that this application be accorded a filing date pursuant to 37 C.F.R. 1.53(b)(1). Enclosed are:

- ☒ 43 pages Specification, Claims, Abstract
- ☒ 2 sheets of Formal Drawings
- ☒ Declaration/Power of Attorney
- ☒ Assignment, certified cover sheet and recordation fee.
- ☒ Priority is claimed under 35 USC 119 from German Patent Application No.100 04 908.7 filed February 4, 2000 (certified copy enclosed) and 100 04 906.4 filed February 4, 2000 (certified copy to follow).
- ☒ Information Disclosure Statement, PTO form 1449 with references cited.

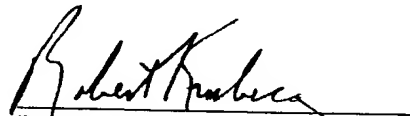
Fees: (see formula below) Check Enclosed

Basic Fee:\$710.00
Recordation Fee:..... 40.00

TOTAL FEES ENCLOSED FOR ABOVE APPLICATION.... \$750.00

In the event there is attached hereto no check, or a check for an insufficient amount, please charge the fee to our Account No. 22-0261 and notify us accordingly.

Respectfully submitted,



Robert Kinberg
Registration No. 26,924
VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 962-4800
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UNITED STATES PATENT AND TRADEMARK OFFICE



Page 1 of 2

RZK

31512-168236

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/775,638	02/05/2001	Manfred Dombek	31512-168230RK

Robert Kinberg
VENABLE, BAETJER, HOWARD & KILPATRICK
P.O. Box 34385
Washington, DC 20043-9998

DOCKETED
Notice of omitted items due
CLIENT/MATTER # *31512-168236* ATTY *RZK*
DUE DATE *12/22/2001*
FINAL DEADLINE *12/22/2001*
DKTED BY *BN MDR*

CONFIRMATION NO. 8302

FORMALITIES LETTER



000000000006950906

NOV 16 2001

TC 1700 Date Mailed 10/22/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

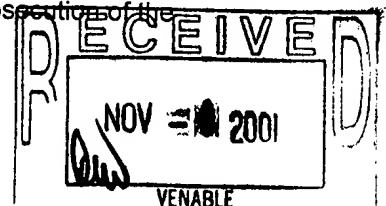
- Page(s) 32 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.



A copy of this notice MUST be returned with the reply.

Qui

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

94338

Venable Filing Number



RECEIVED

NOV 16 2001

TC 1700

February 5, 2001

Filing Date

Atty. Docket No. 31512-168230 RK
 Re: Manfred DOMBEK

Application No.: Not Yet Assigned

Patent No.:

Trademark:

Opposition/Cancellation No.:

Filing Date: Concurrently

Issue Date:

Trademark Reg. No.:

The following items were received from Venable
 Washington, D.C., by the U.S. Patent & Trademark Office:

U.S. PTO FEES ENCLOSED

710.00

Filing Fee

40.00

Surcharge Fee

Additional Claim Fee

Recordation/Indexing Fee

IDS Fee

Extension Fee

Notice of Appeal Fee

Brief on Appeal Fee

Oral Hearing Request Fee

Petition Fee

Issue Fee

Maintenance Fee

TM Statement of Use

8 Affidavit Fee

8 and 15 Affidavit

TM Renewal Application Fee

Notice of Opposition Fee

Terminal Disclaimer

Fee: 750.00

Check Number

Transmittal Letter

New Patent Application, (43 pages)/specification
claims and abstract

Formal Drawings (2 Sheets)

Invention Declaration

Small Entity Declaration

Translation of International Application

New U.S. TM Application (specimens)

Rule 53(d) Continuation or Division Application

Rule 53(b) Continuation or Division

Application (in Duplicate) (attach copy of specifications,
claims, drawings & declaration)

Priority Document-Cert. Copy of German

Appln. #100 04 908.7 Date 2-04-00

Assignment w/ Cover Sheet

IDS w/ PTO - 1449 (w/cited references)

Response

Preliminary Amendment

Petition/Request for Extension of Time

Notice of Appeal

Appeal Brief (in triplicate)

Request for Oral Hearing

Confirmation of Hearing Petition

Issue Fee Transmittal

Certificate of Correction

Maintenance Fee Transmittal

TM Statement of Use

Declaration Under 8

Declaration Under 8 and 15

TM renewal Application

Notice of Opposition

Request for Corrected Filing Receipt

Terminal Disclaimer

DC2DOCS #263976

Please type a plus sign (+) inside this box → ☐


PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/775,638	
	Filing Date	February 5, 2001	
	First Named Inventor	Manfred DOMBEK	
	Group Art Unit	1731	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	7	Attorney Docket Number	31512-168230 RK

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Copy of Notice of Omitted Item(s) dated October 22, 2001 -Copy of Transmittal, original receipt and PTO-stamped receipt of 02/05/01, Page 32 of the spec
Remarks		This Petition is being filed in response to the Notice of Omitted Item(s) dated October 22, 2001.
		RECEIVED NOV 16 2001 TC 1700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Venable P.O. Box 34385 Washington, D.C. 20043-9998	 26694 PATENT TRADEMARK OFFICE
Signature	<i>Robert W. Venable Reg # 26924</i>	
Date	November 13, 2001	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name	<input type="text"/>		
Signature	<input type="text"/>	Date	<input type="text"/>

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SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

NOV 13 2001

U.S. PATENT & TRADEMARK OFFICE

Complete if Known

Application Number 09/875,294
Filing Date February 5, 2001
First Named Inventor Manfred DOMBEK
Examiner Name Not Yet Assigned
Group / Art Unit 1731
Attorney Docket No. 31512-168230 RK

TOTAL AMOUNT OF PAYMENT (\$) 130

RECEIVED

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

22-0261

Deposit
Account
Name

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- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	0	0	0
Independent Claims	Extra Claims	Fee from below	Fee Paid
	0	0	0
Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) Petition Under 37 CFR 1.53(b)

130.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130)

SUBMITTED BY

Name (Print/Type)	Robert Kinberg	Registration No. Attorney/Agent	26,924	Telephone	202.962-4800
Signature	<i>Robert Kinberg</i>	Date	November 13, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PC Docs No. DC2DOCS1\330955

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.